

Serial No. 10/721,247
Amendment dated August 8, 2007
Reply to Office Action of May 10, 2007

Docket No. K-0572

REMARKS/ARGUMENTS

Claims 1-22 are pending.

The Office Action rejected claims 1-11 under 35 U.S.C. §103(a) as being unpatentable over Kendt, in view of Rak, and in view of Golladay et al. (hereinafter “Golladay”). The rejection is respectfully traversed.

The Office Action asserts that “Kendt discloses a dishwasher comprising a housing 11, a tub 12, a spray arm 34, and a water softener 30.” However, the Examiner acknowledges that Kendt does not disclose a water softener that “includes a float and sensor for sensing the concentration of salt water.” The Examiner then asserts that Rak discloses such features. Further, the Examiner acknowledges that “[n]either Kendt nor Rak discloses a sensor that detects a distance from the float to the sensor.” The Examiner then argues that Golladay discloses such features. The Examiner then concludes “[i]t would have been obvious at the time of the invention, to modify the dishwasher disclosed by Kendt, to include any water softener that was conventionally used, such as that taught by Rak with a float type salt sensor, in order to detect and alarm the user of insufficient brine concentrations,” and that “it would have been obvious to modify Kendt and Rak and include a Hall-effect apparatus, as disclosed by Rak, such as one that measures a location, depth, or distance, as taught by Golladay et al. as it is a known type of Hall-effect apparatus.”

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However, Golladay discloses detecting a particular location of a magnet 21, 25 and float 19, 23 by interaction of a Hall-effect sensor card 29 with the magnets 21, 25. Golladay does not disclose a sensor that detects a distance from the float to a sensor, as asserted by the Examiner. Rather, Golladay requires a complicated mechanism shown in Figures 2-3 to determine how much of a tape 27 has been paid out from an accumulator 11 in order to relate electrical pulses emanating from the Hall-effect sensor card 29 to the level of the fluid 6 and of the interface 9.

Thus, none of the applied references discloses or suggest a sensor provided to the second container to sensor a concentration of the salt water based on a distance of the float from the sensor and generate a signal corresponding to the sensed distance, as recited in independent claim 1. Further, none of the applied references provides the requisite motivation for combining teachings as asserted by the Examiner, in particular, for modifying Kendt as modified by Rak to include the complicated level sensing apparatus disclosed by Golladay.

Accordingly, the rejection of independent claim 1 over Kendt, Rak, and Golladay should be withdrawn. Dependent claims 2-11 are allowable over Kendt, Rak, and Golladay at least for the reasons discussed above with respect to independent claim 1, from which they depend, as well as for their added features.

The Office Action rejected claims 12-22 under 35 U.S.C. §103(a) as being unpatentable over Rak in view of Golladay. The rejection is respectfully traversed.

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The Examiner asserts that Rak discloses all of the claimed features except “a sensor that detects a distance from the float to the sensor.” However, as indicated above, Golladay does not disclose or suggest such features. Further, neither Rak nor Golladay provide the requisite motivation for combining teachings as asserted by the Examiner, in particular, for modifying Rak to include the complicated level sensing apparatus disclosed by Golladay.

Accordingly, the rejection of independent claim 12 over Rak and Golladay should be withdrawn. Dependent claims 13-22 are allowable over Rak and Golladay at least for the reasons discussed above with respect to independent claim 12, from which they depend, as well as for their added features.

CONCLUSION

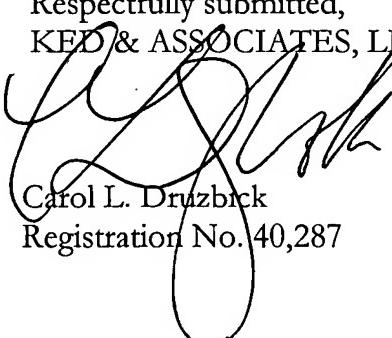
In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

In view of the foregoing amendments and remarks, it is respectfully submitted that this application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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